

Having read the NPRM FAA-1998-4521 several faults are readily apparent.

- 1) The accident history basis for the decision making is analyzed in an anecdotal way that is not scientific or well organized.
- 2) There are no projected revised accident rates based on the Hawaii experiment as applied to the rule makings future expected results so as to judge the rulemakings results in the future.
- 3) Overall the proposed rules do not address the most direct and obvious solutions to many of the accidents, rather the rules appear to be using the Part 135 and 121 already in existence as the easy way out for the NTSB and FAA.

For example NTSB Recommendation No. A-95-58 would like all operators under one set of standards, Part 135 while eliminating the 25 mile exemption. However the NTSB nor the FAA show any convincing evidence that this would improve safety and conversely that this has been the cause of safety problems. Sounds good, but on what good evidence other than administrative convenience is it based?

- 4) Under the "Analysis of Benefits" section. "The analysis also shows that while the part 135 accident rate is lower, the fatality rate is much higher than that of part 91 operators. The apparent anomaly is due to two factors .....". So here we have the FAA in the interest of "safety" or more accurately uniformity under one set of regulations so we feel better, encouraging part 91's to become part 135's so they too can partake of the "anomaly" and have a higher fatality rate. Of course they would have to fly bigger planes to pay for the estimated cost of from \$11k to \$75k for the new red tape. Now we can see why the government tape is red (future blood).

The Part 121 and 135 manuals and related stuff does nothing to address the problems stated, do they? So why are they offered up?

What I see here are some valid and good ideas that should be implemented, but the method of implementation is not direct and will through "anomalies" result in more fatal accidents in other ways.

If you really want to solve the problems look at pilot training, aircraft equipment and maintenance, ATC and tour traffic patterns. If you just want to feel good and most likley have the opposite effect with the added bonus of ruining peoples operations and discouraging aviation in the interest of theoretical safety then don't make the effort and by all means accept 4521 as it is.